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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,470	06/25/2001	Prabhakar Gopalan	AUS920010555US1	3831
45371	7590	08/22/2007		
IBM CORPORATION (RUS) c/o Rudolf O Siegesmund Gordon & Rees, LLp 2100 Ross Avenue Suite 2600 DALLAS, TX 75201			EXAMINER AKINTOLA, OLABODE	
			ART UNIT 3691	PAPER NUMBER
			MAIL DATE 08/22/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/888,470

Applicant(s)

GOPALAN, PRABHAKAR

Examiner

Olabode Akintola

Art Unit

3691

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-9,11-14 and 16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-9,11-14 and 16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/04/2007 has been entered.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1, 3-9, 11-14 and 16 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding independent claims 1, 9 and 14 the phrase "without using tokens" is not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, has possession of the invention. Applicant teaches in the specification, that the financial transaction is simply processed (see Specification, page 11,

line 3 through page 12, line 20). However, there is no mention in these passages that the transaction is processed “without using tokens.” Therefore it would not be obvious to one of ordinary skill in the art that the processing is done without using tokens. The phrase “without using tokens” is considered to be a negative limitation. Any negative limitation or exclusionary provision must have basis in the original disclosure. See MPEP § 2173.05(i). Dependent claims 3-8, 11-13 and 16 stand rejected based on their dependency.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-9, 11-14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hill (USPN 6236981) (Hill) in view of Young et al (USPAP 20020065774) (Young).

Re claims 1, 9, 11, 12 and 14: Hill teaches a method and corresponding system for remotely completing a financial transaction using a centralized personal database comprising: providing access for a user to the centralized personal database only when a user inputs a basic number and a primary number; providing access for a merchant to the centralized personal database only when the merchant inputs the primary number and a wallet number; responsive to receipt of the basic number, the primary number and an account data from the user, creating a wallet number

for an electronic wallet; providing a primary number and a wallet number to the merchant for financial transaction; and responsive to receipt of the primary number, the wallet number and the financial transaction at the centralized personal database website, processing the financial transaction and transmitting a completed financial transaction to the merchant; wherein the wallet number is associated with either a credit card account or bank account (see at least col. 2, lines 1-40; col. 4, lines 2-19 and 30-36; col. 5, lines 33-36; col. 6, lines 21-26; col. 7, line 64-67; col. col. 8, lines 26-31 and 44-54; col. 9, lines 64-67; col. 12, lines 49-62; Figures).

Hill does not explicitly teach wherein the wallet number is associated with either a credit card account or bank account so that the payment transaction is processed without using token. Young teaches wherein the wallet number is associated with either a credit card account or bank account so that the payment transaction is processed without using token (abstract, 0008-0011). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hill's wallet ID so that the payment transaction can be processed without using token as taught by Young. One would have been motivated to do this so that the user's desired means of payment can be utilized to settle the transaction without using tokens.

Re claims 3 and 16: Hill teaches a wallet number generation program in the centralized personal data base program (col. 2, lines 1-40; col. 4, lines 2-19 and 30-36; col. 5, lines 33-36; col. 6, lines 21-26; col. 7, line 64-67; col. col. 8, lines 26-31 and 44-54; col. 9, lines 64-67; col. 12, lines 49-62; Figures).

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Re claim 4: Hill teaches a user data base in the server computer with a plurality of account data to implement the payment transaction (col. 2, lines 1-40; col. 4, lines 2-19 and 30-36; col. 5, lines 33-36; col. 6, lines 21-26; col. 7, line 64-67; col. col. 8, lines 26-31 and 44-54; col. 9, lines 64-67; col. 12, lines 49-62; Figures).

Re claim 5: Hill teaches a display of the primary number and the wallet number (col. 2, lines 1-40; col. 4, lines 2-19 and 30-36; col. 5, lines 33-36; col. 6, lines 21-26; col. 7, line 64-67; col. col. 8, lines 26-31 and 44-54; col. 9, lines 64-67; col. 12, lines 49-62; Figures).

Re claim 6: Hill teaches a display of the wallet number and an account number (col. 2, lines 1-40; col. 4, lines 2-19 and 30-36; col. 5, lines 33-36; col. 6, lines 21-26; col. 7, line 64-67; col. col. 8, lines 26-31 and 44-54; col. 9, lines 64-67; col. 12, lines 49-62; Figures).

Re claim 7: Hill teaches a wallet set up program in the centralized personal data base program (col. 2, lines 1-40; col. 4, lines 2-19 and 30-36; col. 5, lines 33-36; col. 6, lines 21-26; col. 7, line 64-67; col. col. 8, lines 26-31 and 44-54; col. 9, lines 64-67; col. 12, lines 49-62; Figures).

Re claims 8 and 13: Hill teaches a display of the wallet number, an account number and a limit on an account (col. 2, lines 1-40; col. 4, lines 2-19 and 30-36; col. 5, lines 33-36; col. 6, lines 21-26; col. 7, line 64-67; col. col. 8, lines 26-31 and 44-54; col. 9, lines 64-67; col. 12, lines 49-62; Figures).

Response to Arguments

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Examiner notes that the tokens described in Hill are a set of random numbers (col. 2, lines 29-30) that is generated having some form of value (col. 5, lines 31-40). Applicant's specification at page 10, lines 5-7 discloses that the transaction is carried out using numbers provided by the wallet number generation program. Examiner asserts that the functionality of both numbers is the same even-though in Hill it is called "token". It is not clear how the transaction can be processed without using numbers (Hill's tokens).

Also, the examiner asserts that the five values required to receive payment include the equivalents of the primary number, wallet number and the financial transaction. The merchant ID, number of tokens and payment token are part of the payment or financial transaction.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Fisher (USPN 6957199) teaches a method and system for conducting authenticated business transactions.

Copella et al. (USPN 4852165) teaches a secure system for providing personal identifier (col. 5, lines 25-28)

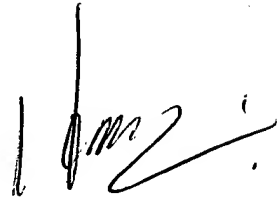
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olabode Akintola whose telephone number is 571-272-3629.

The examiner can normally be reached on M-F 8:30AM -5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on 571-272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OA



HANI M. KAZIMI
PRIMARY EXAMINER